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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Ashok TEHIM et al.

Serial No.: 10/669,645

Group Art Unit: 1614

Filed: September 25, 2003

Examiner: Unassigned

For: INDAZOLES, BENZOTHIAZOLES, AND BENZOISOTHIAZOLES, AND  
PREPARATION AND USES THEREOF

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

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- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
  - ☐ within three months of the actual filing date of the national phase of a PCT application; OR
  - ☒ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- ☐ a final rejection under 37 C.F.R. 1.113;
  - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
  - ☐ a notice of allowance under 37 C.F.R. § 1.311; and

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is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below<sup>1</sup>, OR
  - ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
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  - ☐ a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

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Statements Under 37 C.F.R. 1.97(e)

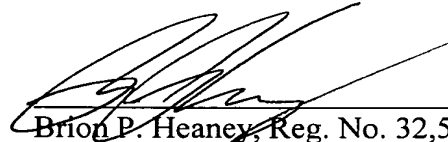
- ☐ Each item of information contained in this information disclosure statement was a first cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
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Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. \_\_\_\_\_, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☐ Copies of materials listed and are attached (except for US references) were cited in an international search report dated \_\_\_\_\_.

☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

  
\_\_\_\_\_  
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Attorney Docket No.: MEMORY-33

Date: June 16, 2004

BPH/rrt



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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 3

### Complete if Known

Application Number	10/669,645
Filing Date	September 25, 2003
First Named Inventor	Ashok Tehim
Group Art Unit	1614
Examiner Name	Unassigned
Attorney Docket Number	MEMORY-33

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
		4,789,673		Donatsch et al.	12/6/1988
		4,798,829		King et al.	1/17/1989
		4,845,092		Sanger et al.	7/4/1989
		4,886,808		King	12/12/1989
		4,910,193		Buchheit	3/20/1990
		4,937,247		King	6/26/1990
		4,942,160		Sanger et al.	7/17/1990
		4,975,436		Tyers	12/4/1990
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		5,204,356		Tyers	4/20/1993
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		5,273,972		Jagdmann et al.	12/28/1993
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		US 2003/0073707		Walker et al.	4/17/2003
		US 2004/0002513		Mazurov et al.	1/1/2004

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- ☒ Copies of the materials listed are attached (except US references).

Non-English Language References

- ☐ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
- ☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:

X = document of particular relevance when it is taken alone  
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A = document defining the general state of the art  
O = non-written disclosure  
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T = document cited to understand the theory or principle underlying the invention  
E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date  
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- ☐ Translation of other relevant information on foreign search report

Other Information

Payment of Fees Due (If Any):

- ☐ A check for \$\_\_\_\_\_ covering the fee identified above is attached.
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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
		JP	2002-30084			1/29/2002		
		GB	2 125 398			3/7/1984		
		EP	0 200 444			11/5/1986		
		EP	0 498 466			8/12/1992		
		EP	1 235 826			9/4/2002		
		WO	92/12149			7/23/1992		
		WO	02/085901			10/31/2002		
		WO	02/100833			12/19/2002		
		WO	02/100858			12/19/2002		
		WO	02/17358			2/28/2002		
		WO	03/022856			3/20/2003		
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		EP	0 214 772			3/18/1987		
		EP	1 079 828			3/7/2001		
		WO	,84/00166			1/19/1984		
		WO	85/01048			3/14/1985		

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### NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		S.M. Evans et al., "Probing the 5-HT <sub>3</sub> Receptor Site Using Novel Indole-3-Glyoxylic Acid Derivatives", Med. Chem. Res. (1993), 3:386-406	
		D. Flammia, "Lobeline: Structure-Affinity Investigation of Nicotinic Acetylcholinergic Receptor Binding", J. Med. Chem. (1999), 42:3726-2731	
		R. Azuma et al. "Metabolism and Disposition of GTS-21, A Novel Drug for Alzheimer's Disease", Xenobiotica (1999), Vol. 29, No. 7, pgs. 747-762	
		K. E. Stevens. Et al., "Selective α <sub>7</sub> -nicotinic agonists normalize inhibition of auditory response in DBA mice", Psychopharmacology (1998), 136:320-327	
		R. Azuma et al., "The effect of repeat administration of GTS-21 on mixed-function oxidase activities in rat", Elsevier Science Ireland Ltd., Toxicology Letters 110 (1999) pgs. 137-144	
		M. Decker, et al., "Neuronal Nicotinic Acetylcholine Receptors: Novel Targets for CNS Therapeutics", pgs. 1-14	
		M. W. Holladay et al., "Neuronal Nicotinic Acetylcholine Receptors as Targets for Drug Discovery", Journal of Medicinal Chemistry, Vol. 40, No. 26, (1997), pgs. 4169-4194.	

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